

Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 191557

61

ORIGIN ARA-20

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-11 L-03

NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

USIA-15 SAB-01 IO-14 EB-11 OMB-01 TRSE-00 AID-20

IGA-02 COME-00 /145 R

DRAFTED BY ARA-LA/PAN;RCAMAU:GEM

APPROVED BY ARA-LA/PAN;PFMORRIS

ARA/CCA:MHOFFENBERG

L/ARA:MKOZAK

LA/GC:ILEVY

DESIRED DISTRIBUTION

AMEMBASSY PANAMA

----- 114929

P R 302052Z AUG 74

FM SECSTATE WASHDC

TO AMEMBASSY PANAMA PRIORITY

INFO GOV PANCANAL

LIMITED OFFICIAL USE STATE 191557

E.O. 11652:N/A

TAGS: PFOR, PN

SUBJECT: LEGAL CONSEQUENCES OF GOP RECOGNITION OF CUBA

REF: PANAMA 4973

1. THE GOP'S REESTABLISHMENT OF DIPLOMATIC RELATIONS WITH CUBA IN ITSELF DOES NOT TRIGGER APPLICATION OF ANY U.S. LAW.

2. THE FOLLOWING PROVISIONS OF U.S. LAW ARE APPLICABLE TO THIRD COUNTRY TRADE WITH OR ASSISTANCE TO CUBA:

A. SECTION 620 (A) (1) OF THE FOREIGN ASSISTANCE ACT PROVIDES FOR THE TERMINATION OF ASSISTANCE UNDER THE ACT TO COUNTRIES WHICH FURNISH ASSISTANCE TO THE PRESENT GOVERNMENT OF CUBA.

B. SECTION 620 (A) (3) OF THE FOREIGN ASSISTANCE ACT

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 191557

PROVIDES FOR TERMINATION OF ASSISTANCE UNDER THE ACT TO

COUNTRIES WHICH FAIL TO TAKE APPROPRIATE STEPS TO PREVENT SHIPS OR AIRCRAFT UNDER THEIR REGISTRY FROM CARRYING GOODS TO OR FROM CUBA.

C. THE MUTUAL DEFENSE ASSISTANCE CONTROL ACT OF 1951 (THE BATTLE ACT) PROHIBITS ASSISTANCE TO ANY COUNTRY WHICH PERMITS THE SHIPMENT OF VARIOUS STRATEGIC EXPORTS TO CUBA.

3. IN ADDITION, UNITED STATES LAW AND REGULATIONS PROHIBIT:

A) SHIPMENTS OF CARGOES OWNED OR FINANCED BY THE UNITED STATES GOVERNMENT ON A FOREIGN FLAG VESSEL WHICH HAS CALLED IN CUBA SINCE JANUARY 1, 1963;

B) THE UNLICENSED BUNKERING OR SERVICING IN UNITED STATES PORTS OF SUCH VESSELS;

C) UNAUTHORIZED RE-EXPORT TO CUBA OF UNITED STATES COMMODITIES;

D) UNLICENSED TRANSACTIONS BETWEEN PERSONS SUBJECT TO U.S. JURISDICTION (E.G. U.S. CITIZEN DIRECTORS OF U.S. SUBSIDIARIES ABROAD) AND CUBA, INCLUDING RE-EXPORT OF GOODS OR COMPONENT PARTS OF U.S. ORIGIN.

4. THE FOREGOING IS BY NO MEANS AN EXHAUSTIVE LISTING OF U.S. LAW AND REGULATIONS CONCERNING CUBA. DEPARTMENT WILL PROVIDE MORE DETAILED GUIDANCE ON SPECIFIC PROVISIONS AS CIRCUMSTANCES REQUIRE.

5. WITH REFERENCE TO YOUR QUESTION RE POSSIBLE USE OF HOWARD AFB BY GOP, LEGAL CONSIDERATIONS WOULD DEPEND UPON ALL FACTS AND CIRCUMSTANCES AS THEY ACTUALLY DEVELOP. WOULD APPRECIATE MORE INFORMATION ON THIS SUBJECT, SUCH AS FROM WHEN TO WHEN WOULD GOP USE HOWARD. KISSINGER

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DIPLOMATIC RELATIONS ESTABLISHMENT, FOREIGN POLICY POSITION, FOREIGN ASSISTANCE LAW, SANCTIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 30 AUG 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: martinml
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE191557
Document Source: CORE
Document Unique ID: 00
Drafter: LA/PAN;RCAMAUR:GEM
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740241-0728
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t1974083/aaaaabwj.tel
Line Count: 91
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN ARA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: PANAMA 4973
Review Action: RELEASED, APPROVED
Review Authority: martinml
Review Comment: n/a
Review Content Flags:
Review Date: 18 SEP 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <18 SEP 2002 by boyleja>; APPROVED <26 FEB 2003 by martinml>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LEGAL CONSEQUENCES OF GOP RECOGNITION OF CUBA
TAGS: PFOR, PN, CU, US
To: PANAMA
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005